



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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August 12, 2002

Beverly Thomas  
Star Stone Quarries, Inc.  
4040 South 300 West  
Salt Lake City, Utah 84107

Re: Response to May 1, 2002 Tentative Approval Objection, Mountain Valley Stone, Inc., Browns Canyon Mine, M/043/019, Summit County, Utah

Dear Ms. Thomas:

The Division is responding to the concerns and objections expressed in your May 1, 2002 objection letter. Your letter was received in response to the Tentative Approval Notice that was published for the Brown's Canyon Mine large mining permit.

This operation was originally permitted on November 2, 1995, as a small mining operation. A September 15, 2000, site inspection demonstrated that this operation was in compliance with its small mine five-acre permit. The Division received a Notice of Intention for a large mining operation on January 22, 2001.

The site was routinely inspected in January of 2002. Although we believed that the site was over the five-acre limit at that time, enforcement action was not taken because of our inability to determine the exact disturbed area (due to snow cover). Mitigation would be to permit the site as a large mining operation and post appropriate bond. The Division had a large mine plan under review and we were nearing the end of the permitting process.

After receiving your May 1, 2002 letter, the Division again inspected and surveyed the site. It became evident that the disturbed area had expanded since the January 2002 inspection. Approximately, 1/3 of an acre of the disturbance appeared to be located on lands identified to be within your approved permit area. However, a subsequent property line survey revealed that the fence was not on the property line and that most of the 1/3-acre disturbance was not within your permit area.

On May 9, 2002, the Division issued a Notice of Non-compliance to Mountain Valley Stone. A cessation of operations was required. This cessation was lifted after Mountain Valley Stone met with Division administration and assured us that continued operations would not include the disputed area between the two quarries until the property line was properly surveyed and marked. Mitigation required Mountain Valley Stone to:

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1. Amend their mining plan to include all areas of current disturbance,
2. Revise the reclamation surety to cover the reclamation costs of all disturbances, and
3. Survey and re-establish the boundary between Star Stone Quarries, Inc. and Mountain Valley Stone.

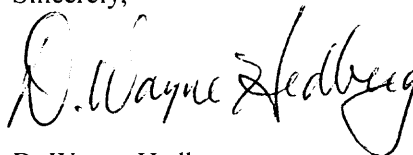
Current Status of these mitigation requirements:

1. Mountain Valley Stone has submitted revised maps and text. Once the maps and text have been reviewed and approved by the Division, disturbed area perimeter markers will be installed, including reestablishing the property line between the two quarries.
2. Mountain Valley Stone has posted acceptable reclamation surety (\$75,000.00) with the Division.
3. Two property surveys have been completed at Mountain Valley Stone's expense (survey markers were removed after the first survey was completed).

Unfortunately, the Division is not in a position to resolve your allegation that Mountain Valley Stone has mined and removed salable rock material from your property. That is a civil dispute that should be resolved in civil court.

We trust that the Division's actions address your concerns. Please don't hesitate to call or write if we need to discuss this matter further. If you have remaining concerns that are not satisfied with our response, please notify us within 10 days of your receipt of this letter outlining your remaining concerns. Otherwise we will assume your concerns have been addressed and we will proceed to complete the permitting process for Mountain Valley Stone's, Brown's Canyon Quarry.

Sincerely,



D. Wayne Hedberg  
Permit Supervisor  
Minerals Regulatory Program

jb  
cc: Robert Hicken, Mountain Valley Stone  
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